

The Gazette of India

PUBLISHED BY AUTHORITY

No. 32] NEW DELHI, SATURDAY, AUGUST 9, 1952

PART II—Section 4

Statutory Rules and Orders issued by the Ministry of Defence

MINISTRY OF DEFENCE

New Delhi, the 9th August 1952

S.R.O. 252.—The following amendment in the Bye-laws for the regulation or prohibition of Traffic in the Chakrata Cantonment made by the Cantonment Board, in exercise of the powers conferred by clause (4) of section 282 and section 283, of the Cantonments Act, 1924 (II of 1924), published by the notification of the Government of India, in the late Defence Department, No 1033, dated 28th June, 1941, is hereby published for general information, the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

After clause (d) of bye-law 7 of the said Bye-laws the following clause shall be added at the end, namely:—

“(e) No vehicle or animal shall except for the purpose of loading and unloading or setting up passengers stay at any place other than at parking places provided for the purpose.”

[No. 12/19/G/L&C/52/2620/LC/D(O&C)]

S.R.O. 253.—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924, (II of 1924), and in supersession of the notification of the Government of India in the Ministry of Defence No. S.R.O. 295, dated the 25th November, 1950, the Cantonment Board, Clement Town, with the previous sanction of the Central Government, hereby imposes conservancy tax on the occupiers of buildings in the Clement Town at the rates specified below.—

- | | |
|---|-----------------|
| (1) Rental value upto Rs. 10 p.m. | Exempted. |
| (2) Rental value exceeding Rs. 10 p.m.
but not exceeding Rs. 15 p.m. | Rs. 1 0 0 p.m. |
| (3) Rental value exceeding Rs. 15 p.m.
but not exceeding Rs 50 p.m. | Rs. 1 12 0 p.m. |
| (4) Rental value exceeding Rs. 50 p.m. | Rs. 3 0 0 p.m. |
| (5) Rental value exceeding Rs. 100 p.m.
but not exceeding Rs. 200 p.m. | Rs. 3 0 0 p.m. |
| (6) Rental value exceeding Rs. 200 p.m.
but not exceeding Rs. 100 p.m. | Rs. 6 0 0 p.m. |

[No. 53/31/G/L&C/52/2699/LC/D(O&C)]

S.R.O. 254.—In exercise of the powers conferred by section 10 of the Government Premises (Eviction) Act, 1950 (XXVII of 1950), the Central Government hereby directs that the following further amendments shall be made in the Government Premises (Eviction) Rules, 1950, namely:—

In the said Rules.—

(1) in sub-rule (1) of rule 3, for the word and figure "section 4", the words, figures and brackets "sub-section (2) of section 4" shall be substituted;

(2) for rule 4, the following rule shall be substituted namely:—

"4. *Procedure for taking possession of Government premises.*—(1) A competent authority may, for the purpose of evicting any person from any Government premises under the Act, use or cause to be used such force and take or cause to be taken such other steps (including obtaining the assistance of the police) as may, in its opinion, be reasonably necessary for the said purpose.

(2) Where any Government premises of which possession is to be taken under the Act are found locked the competent authority or any other person authorised by it in writing in this behalf, may break open the lock in the presence of two witnesses and enter the premises:

Provided that—

(i) no Government premises shall be entered in pursuance of the powers conferred by this rule after sunset or before sunrise;

(ii) where Government premises are entered into in pursuance of the power conferred by sub-rule (2), an inventory of the articles found in the premises shall be made in the presence of two witnesses and such articles shall be stored in safe custody."

(3) In clause (c) of rule 5, after the words 'on rent' the words 'to any person other than a Government servant' shall be inserted;

(4) for sub-rule (1) of rule 6, the following sub-rule shall be substituted, namely:—

"(1) An appeal under section 5 of the Act shall—

(a) if it is an appeal against an order made by the Post Master-General, Bombay or the Post-Master General, Calcutta, as the competent authority, be addressed to the Secretary to the Government of India in the Ministry of Communications;

(b) if it is an appeal against an order of any of the following competent authorities, that is to say

(i) the Estate Manager, Government of India Estates, Bombay; or

(ii) the Estate Manager, Government of India Estates, Calcutta; or

(iii) the Estate Officer or the Joint Estate Officer, New Delhi;

be addressed to the Secretary to the Government of India in the Ministry of Works Housing and Supply;

(c) if it is an appeal against an order made by the Collector of Delhi or the Chairman, Delhi Improvement Trust, Delhi as the competent authority, be addressed to the Chief Commissioner of the State of Delhi;

(d) in any other case, be addressed to the Secretary to the Government of India in the Ministry of Defence."

(5) after rule 6, the following rule shall be inserted, namely:—

"7. *Circumstances under which rent may be recovered as arrears of land revenue.*—Rent in respect of any Government premises may be recovered as an arrear of land revenue in any of the following circumstances, namely:—

(1) in the case of a person other than a Government servant—

(i) on the refusal of such person to pay the rent as assessed by the competent authority;

(ii) if the rent is in arrear for a period of two months or more;

(iii) if there has been a breach of any of the terms of a lease or a licence relating to the premises by the occupant of the premises.

- (2) In the case of a Government servant, if the competent authority is of the opinion that the rent cannot be recovered from the pay of the Government servant.

8. *Certificate of competent authority for recovering rent or damages as arrears of land revenue.*—No rent or damages in respect of any Government premises shall be recovered under the Act as an arrear of land revenue except under and in accordance with the certificate of the competent authority issued in Form 'C'.

- (6) After Form 'B', the following form shall be inserted, namely:—

FORM 'C'

CERTIFICATE UNDER RULE 8 of the Government Premises Eviction Rules 1950.

OFFICE

Dated

To

The Collector.

District.

This is to certify that the sum of Rs. which is due from son of resident of

on account of rent in full for the unauthorised use and occupation of the Government Premises known as per details in the enclosed Statement, is in arrear. With reference to the provisions of Section 4 of the Government Premises (Eviction) Act 1950, you are hereby requested to recover the same as if it were an arrear of land revenue.

Competent Authority.

(Seal)

S.R.O. 255.—Whereas it has been reported, that Maj. M. M. Lal though unable to discharge his duties as a member of the Cantonment Board, Jabalpur has failed to resign his office, the Central Government, in exercise of the powers conferred by sub-section (2A) of Section 34 of the Cantonments Act, 1924 (II of 1924), hereby removes the said officer from the membership of the said Board. The Central Government is further pleased in pursuance of sub-section (7) of Section 13 of the said Act to notify that a vacancy has thus occurred in the Jabalpur Cantonment Board.

[No. 19/7/G/L&C/50/4626-G/52/2663/LC/D(O&C)].

S.R.O. 256.—In pursuance of sub-section (7) of Section 13 of the Cantonments Act, 1924 (II of 1924), the Central Government is pleased to notify the nomination of Lt.-Col. R. C. Ghose as a member of the Cantonment Board Jabalpur, *vice* Maj. M. M. Lal removed.

[No. 19/7/G/L&C/50/4626-G/52/2663/LC/D(O&C)].

K. T. SATARAWALA, Dy. Secy.

S.R.O. 257.—In exercise of the powers conferred by section 4 of the National Cadet Corps Act, 1948 (XXXI of 1948) the Central Government constituted on the 1st July 1952 the undermentioned unit of the Senior Division, Army Wing of the National Cadet Corps on the State of Madhya Pradesh.

9th Madhya Pradesh Medical Company National Cadet Corps, NAGPUR.

S. VOHRA, Dy. Secy.

S.R.O. 258.—In pursuance of clause (a) of section 2 of the Government Premises (Eviction) Act, 1950 (XXVII of 1950) the Central Government hereby directs that the following amendments shall be made in the Government Premises (Eviction) Rules, 1950:

In the Table annexed to the said Rules for the entry against "Superintendent, Gun and Shell Factory, Cossipore", in the second column the following entry substituted, namely:—

"Within the boundary of the Gun and Shell Factory, Cossipore premises and the Jheel Road Estate Seven Tanks Estate and the Gun and Shell Branch Factory premises and the Estate, Dum Dum."

[u.o. No. 212/50/D. (Fy)]

D. P. McKENNA, Under Secy.

S.R.O. 259.—In exercise of the powers conferred by section 191 of the Army Act, 1950 (XLVI of 1950), the Central Government hereby directs that the following further amendment shall be made in the Indian Army Act Rules:—

In clause (A) of rule 161 of the said Rules, for item (ii) the following item shall be substituted, namely:—

"(ii) The armoured Corps including Training Centres, Horsed Cavalry Regiments and non-combatants."

M. K. KUTTY, Under Secy.

S.R.O. 260.—In Ministry of Defence S.R.O. No. 245, dated the 26th July, 1952, for the words "Controller of Delhi" occurring in line 4, read "Collector of Delhi."

R. S. VOHURA, Under Secy.